

## **Small Producer's Guideline for Handling and Selling Eggs Safely**

This information is being provided as a service by the Kentucky Department of Agriculture, Division of Regulation and Inspection, Egg Law Section, 111 Corporate Drive, Frankfort, KY 40601.

Eggs are listed on the hazardous food list by the United States Food and Drug Administration. You should exercise caution when handling and/or selling eggs that you produce. Regardless of operational size, careful egg handling and proper sanitation are absolutely essential. The purpose of proper cleaning of eggs is to remove bacteria, which might otherwise enter through the shell, multiply in the egg and result in sour or rotten eggs. The egg is obviously a balanced source of nutrients for the growth of many organisms. Thus, a cleaning procedure must be adopted to remove, destroy or inhibit growth of a wide range of bacteria. Another reason that eggs are cleaned or washed is the value or price per dozen is higher for clean eggs than for dirty eggs. When eggs are laid, very few bacteria are present on the egg shells and essentially none inside the eggs. After the eggs have been laid they enter an environment full of bacteria, from wire cages, body or hen's feet, gathering equipment, hands of a worker or air. Although many types of microorganisms are present on the shell, some have no economic or health significance. Others, especially pseudomonas, are instrumental in egg spoilage resulting in rotten eggs. With all of these microorganisms present, it is really incredible that more eggs do not spoil, especially when held for several weeks before consumption. The egg, however, has an amazing number of built-in antimicrobial agents that were probably designed to protect the developing embryo. These are both physical and chemical. These mechanisms will protect most eggs, however, when too many microorganisms are present, or when the eggs are improperly handled, the bacteria enter the eggs and may multiply rapidly. In order to assist you in safeguarding potential retail consumers and your family, we have provided the following guidelines that should be followed to help prevent illness.

- a. Do not come into contact with eggs if you have a communicable illness.
- b. Wear clean clothing.
- c. Practice correct hygiene.
- d. Do not smoke in the processing area because eggs may absorb these odors.
- e. Wash your hands at least every 2 hours, or as needed to maintain cleanliness, if you candle or handle eggs.
- f. Gather eggs frequently and wash them as soon as possible after collection. Remove badly soiled and cracked eggs before they are washed, and before they are candled. Eggs should be candled after they are washed.
- g. Eggs should be below 90° F. before washing as they can contract wash water. The suggested wash water temperatures are between 110 and 120° F. Never let the temperature fall below 110° F. Never have wash water more than 50° F. above the temperature of the egg as this will cause excess breakage. Change wash water every 4 hours, or more often if necessary.

- h. Use only potable water having an iron content of not more than 2 ppm to prevent the growth of bacteria. Use a good quality detergent, but do not use household detergents—they may cause discoloration and/or undesirable flavors in the eggs.
- i. Use a good quality detergent, but do not use household detergents—they may cause discoloration and/or undesirable flavors in the eggs.
- j. Egg should not be immersed longer than is necessary to clean them. Because egg contents are damaged by prolonged exposure to high water temperatures, a timing device should be used to avoid leaving eggs for more than 3 minutes. No more than two to five baskets of eggs should be washed before replacing the solution.
- k. Spray rinse eggs with water at 20° F warmer than the detergent solution. It is suggested that the eggs should be dipped in a sanitizer solution containing 200 ppm chlorine 20° warmer than the detergent solution.
- l. Never expose the eggs to temperatures greater than 128° F during the cleaning process.
- m. Never put wet eggs into cartons or boxes because the wet eggs can pick up bacteria very easily.
- n. Gather eggs frequently, Clean, dry, candle, package and refrigerate immediately upon gathering.
- o. If you are offering your eggs for sale at a farmer's market and you choose to use a chest type cooler that is maintained with wet ice, there must be a divider between the eggs and the area that holds the ice. The space between the ice and the eggs should be a minimum of 3 inches. At no time should the eggs/egg cartons that are kept in chest coolers come into contact with the ice or water from the melted ice. This exposes the eggs to bacteria rendering them inedible. The space allowance between the eggs and the ice should also prevent eggs from freezing.
- p. Clean and sanitize all of your equipment each time it is used to prevent the build up of bacteria and calcium deposits.
- q. If your eggs are being sold, egg cartons used for packaging the eggs must be blank cartons with the nutritional labeling, refrigeration requirements, and safe handling requirements on the cartons. **You may not use cartons or cases which are labeled by other businesses and the cartons may not be re-used.** All cartons or cases are subject to the packaging and labeling requirements as specified in KRS 260.630. If you sell your eggs at the retail or wholesale level, you must license per KRS 260.600.
- r. If you sell more than 60 dozen eggs weekly, you must purchase a retail license. If you sell your eggs to a retail store to be resold or to a distributor that will further distribute them, you must have a distributor's license.

### **260.630 Labeling requirements.**

(1) All wholesale egg packs consisting of cases or portions of cases shall bear a legible label designating contents; quality; quantity; date of packing and an expiration or best-by date; dealer's name, address, and plant number; and size

and grade of eggs. Expiration dating shall include qualifying prefixes such as "EXP," "Expiration date," "Sell by," "Not to be sold after date on end of carton," "Purchase by," "Last sale date on end of carton," or other similar language denoting stock rotation. The dates associated with these prefixes shall be calculated from the date the eggs are originally packed into the container and may not exceed thirty (30) days including the day of pack. Qualifying prefixes such as "Use before," "Use by," "Best before," "Best by," or other similar language generally indicate the maximum time frame for expected quality. The dates associated with these prefixes shall be calculated from the date the eggs are packed into the container and may not exceed forty-five (45) days including the day of pack. The letters on the label shall not be less than one-sixteenth (1/16) inch in height.

(2) Graded eggs shall be offered for sale in cartons or other consumer packs and shall be plainly and legibly marked as to grade; quality; size; quantity; dealer's name, address, and plant number; and date of packing and expiration date. Expiration dating shall include qualifying prefixes such as "EXP," "Expiration date," "Sell by," "Not to be sold after date on end of carton," "Purchase by," "Last sale date on end of carton," or other similar language denoting stock rotation. The dates associated with these prefixes shall be calculated from the date the eggs are originally packed into the container and may not exceed thirty (30) days including the day of pack. Qualifying prefixes such as "Use before," "Use by," "Best before," "Best by," or other similar language generally indicate the maximum time frame for expected quality. The dates associated with these prefixes shall be calculated from the date the eggs are packed into the container and may not exceed forty-five (45) days including the day of pack. The marking letters shall not be less than one-sixteenth (1/16) inch in height. The information on the label shall not be altered or replaced. The quantity may be changed in accordance with KRS 260.610(4).

(3) Eggs offered for sale that are not in a carton shall be in a container that:

- (a) Contains all information required by this section; and
- (b) Displays the information in legible letters at least one-sixteenth (1/16) inch high on a sign attached to the container.

(4) The required label information on wholesale egg packs, cases, or portions of cases shall match the required label information on the carton or other consumer pack contained therein, with the exception of the dealer's name and address.

(5) If eggs are packed in retail "breakaway" cartons that can be divided by the consumer or retailer into smaller units for the purpose of selling lesser amounts of eggs, each half or portion of the container shall contain full information as required by subsection (2) of this section.

(6) Wholesale egg packs, cases, or portions of cases shall be used only in the following manner:

(a) All original label information shall be redacted completely in such a manner so that it is obvious that the container is being reused;

(b) The new label shall contain all of the information otherwise required by this section; and

(c) The cases shall be clean, sturdy, and intact.

(7) Egg cartons cannot be reused.

(8) If a producer who sells directly to consumers only is using stock cartons, the cartons shall be labeled "ungraded" followed by "produced by:" (producer's name and address) and "sold directly to the consumer." This information may be hand printed on the carton if it is legible and appears on the top panel of the egg carton.

(9) Plastic or wire crates, change baskets, or racks may be used as wholesale packs without bearing the required label information only if the required label information is visible on the carton or consumer egg pack.

**Effective:** July 15, 2008

**History:** Amended 2008 Ky. Acts ch. 66, sec. 5, effective July 15, 2008. -- Amended 2004 Ky. Acts ch. 31, sec. 1, effective July 13, 2004. -- Amended 1998 Ky. Acts ch. 208, sec. 6, effective July 15, 1998. -- Amended 1960 Ky. Acts ch. 36, sec. 4, effective June 16, 1960. -- Created 1956 Ky. Acts ch. 121, sec. 11.

### **302 KAR 10:100. Refrigeration of eggs and temperature requirements.**

RELATES TO: KRS 260.620

STATUTORY AUTHORITY: KRS 260.620

NECESSITY, FUNCTION, AND CONFORMITY: KRS 260.620 requires the department to establish standards governing eggs offered for sale as graded eggs. This administrative regulation establishes the requirements relating to the refrigeration of eggs, including temperature, transportation, and labeling requirements.

Section 1. The refrigeration and temperature requirements in the standards of quality for shell eggs shall be governed by the following specifications:

(1) To prevent undue deterioration, a shell egg packed in a container for the purpose of resale to a consumer shall be stored and transported under refrigeration at an ambient temperature of forty-five (45) degrees Fahrenheit or seven and two-tenths (7.2) degrees Centigrade or less.

(2) Eggs, which are shipped across the state line into Kentucky, shall be transported under refrigerated conditions at the temperature as required by subsection (1) of this section.

(3) A shell egg that is packed into a container for the purpose of resale to a

consumer shall be labeled with the following statement: "Keep refrigerated at or below forty-five (45) degrees Fahrenheit".

(4)(a) A person who takes possession of an egg in this state shall be liable for compliance with subsections (1) and (2) of this section.

(b) Upon receiving an egg, a person shall ensure that his supplier complies with the labeling requirements established in KRS 260.630.

(5) An egg that does not meet the refrigeration requirements either in transit, storage or display shall be seized or destroyed by a Department of Agriculture inspector. (24 Ky.R. 2242; Am. 2620; eff. 6-10-98.)

### **Stop Sale Orders or Withdraw From Sale Orders**

#### **260.550 Prohibition against buying, selling, or processing eggs without license -- Exceptions -- Stop orders and withdraw from sale orders imposed for certain violations.**

(1) No person shall buy, sell, trade, traffic, or process eggs in Kentucky without a license issued pursuant to the egg marketing law, with the following exceptions:

(a) Hatcheries purchasing eggs to be used exclusively for hatching purposes;

(b) Hotels, restaurants, and other eating places where all eggs purchased are served in the establishment;

(c) Bakeries, confectioneries, and ice cream manufacturers who use eggs in a manufactured product;

(d) Consumers buying eggs for their own consumption; or

(e) Producers who sell only directly to consumers and do not exceed a sales limit of sixty (60) dozen eggs per calendar week.

(2) Any person engaged in the act of selling shell eggs or egg products under any of the following circumstances shall have all shell eggs and egg products placed under a stop order:

(a) Selling or otherwise marketing shell eggs or egg products without a license;

(b) Selling or otherwise marketing shell eggs or egg products without first submitting an emergency recall plan to the department; or

(c) Failing to remit or pay fines owed to the department.

(3) Any person engaged in the act of selling or otherwise marketing shell eggs under the following conditions shall have those eggs placed under a stop order for:

(a) Failing to have the proper labels attached, as required by KRS 260.630; or

(b) Failing to meet the tolerances of consumer grades and consumer grade quality standards, as required by KRS 260.620.

(4) Any person engaged in the act of selling or otherwise marketing shell eggs or egg products shall have these shell eggs or egg products placed under a withdraw from sale order for the following reasons:

(a) Ambient temperature above forty-five (45) degrees Fahrenheit for a period of four (4) hours or more; or

(b) Contamination or any condition which may render the shell eggs or egg products unfit for human consumption.

The withdraw from sale order shall remain in effect until such time as the disposition of the shell eggs or egg products has been determined by the department.

Additional penalties have been added to KRS 260.990 (1) and (2) for the violation of these orders.

The department strongly encourages you to review the KRS's and KAR's regarding egg marketing and know what is expected of you under these provisions.

If you have any questions, please contact our Egg Marketing Section at 502/573-0409.